

520.36997X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 28 2004

Applicants: K. NAKAYAMA, et al

Serial No.: 09/262,839

Filed: March 5, 1999

Title: PACKET SWITCH FOR SWITCHING VARIABLE LENGTH PACKETS
IN THE FORM OF ATM CELLS

Art Unit: 2663

Examiner: S. Hyun

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 28, 2004

Sir:

Applicants hereby appeal to the Board of Appeals from the final decision dated July 28, 2004 of the Primary Examiner, finally rejecting claims 1-3 and 13-16. The items below are appropriate:

A Petition for Extension of Time was filed on December 28, 2004.

The fee of \$500.00 for this Notice is also submitted.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of MATTINGLY, STANGER & MALUR, P.C. Deposit Account No. 50-1417 (Case No. 520.36997X00).

Respectfully submitted,

MATTINGLY, STANGER & MALUR, P.C.


Carl I. Brundidge
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CIB/jdc
703/684-1120